Good afternoon Chairman Blessing, Vice Chairman Reineke, Ranking Member Clyde and fellow members of the Government Accountability and Oversight Committee.

I appreciate the opportunity to provide you with testimony for Ohio House Bill 41 which seeks to alter Ohio’s early voting requirements.

On page 19 of the Bill, subsection 3, it reads: “If an individual casts a provisional ballot in a precinct in which the individual is not registered and eligible to vote and in the incorrect polling location for the precinct in which the individual is registered and eligible to vote, the provisional ballot shall not be opened and the ballot shall not be counted.”

Very few, if any, measures are voted on at the precinct level. Prior to Ohio’s 2004 presidential election, this vote would have been counted, particularly if the individual was directed to the wrong precinct location to cast their vote.

If an individual voter has a provisional ballot that was given to them by a pollworker, why should we strip their fundamental right to vote – especially for a governor or presidential candidate – because of a pollworker’s error?

On page 30 of the Bill, subsection A, it reads: “The absent voter shall provide identification to the election officials in the same manner as a voter who casts a ballot in person on the day of an election is required to provide identification under section 3505.18 of the revised code.

A better approach would be to allow Election Day voters to vote in the same manner as early voters who provide the last 4 digits of their Social Security number. Making voting easier would save time at the polls and, since we are one of the only democracies that continues to vote on a working day, it should increase voter turnout.

This combined with universal automatic registration mandated under law would solve a lot of the voter ID issues. The universal unique twin identifies of a voter’s signature and the last four digits of their Social Security number along with automatic voter registration incumbent upon the State would promote true democracy and end any attempts of partisan election purging.

If the State of Ohio wishes to promote democratic values, this Bill should require Ohio state officials to register all the eligible voters in the state.

The language I suggest would be: “The State of Ohio shall register its citizens to vote.” This would be a universal opt-in system, but would allow individuals to opt-out based on Constitutional rights.

Also, on page 32 of the Bill, it states that: “If the elector’s name does not appear in the pollbook or poll list or signature pollbook, the precinct officials shall deliver the absent voter’s ballots to the director of the board of elections to be examined and processed in the manner described in division (E) of this section.” Ohio legislators should consider adding language that bars private, often partisan companies from secretly programming and maintaining the pollbooks and voter databases with proprietary software. This violates every principle of transparency.

Let’s recall that Diebold, a now defunct voting machine company, admitted that a computer glitch knocked 10,000 voters off the poll list in Cuyahoga County just prior to Ohio’s 2004 presidential election. A solution would be for public election officials to do their own programming using open source software or require private voting machine companies to put their source code in escrow as they do in Wisconsin.

Testimony of Robert J. Fitrakis, Ph.D., J.D.